

# ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB No 0930-0222

North Carolina

FFY 2007

2006 Synar Survey

**Submitted By:** NC Department of Health and Human Services  
Division of Mental Health, Developmental Disabilities and  
Substance Abuse Services

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U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Substance Abuse and Mental Health Services Administration  
Center for Substance Abuse Prevention  
[www.samhsa.gov](http://www.samhsa.gov)

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## INTRODUCTION

The Annual Synar Report (ASR) format provides the means for States to comply with the reporting provisions of the Public Health Service Act (42 U.S.C. 300x-26) and the Tobacco Regulation for the SAPT Block Grant (45 C.F.R. 96.130 (e)).

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is 0930-0222 with an expiration date of 08/31/2007. Public reporting burden for the collection of information is estimated to average 15 hours for Section I and 3 hours for Section II, including the time for reviewing instructions, completing and reviewing the collection of information, searching existing data sources, and gathering and maintaining the data needed. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to SAMHSA Reports Clearance Officer; Paperwork Reduction Project (0930-0222); 1 Choke Cherry Road, Room 7-1044, Rockville, Maryland 20857

### **How the Synar report helps the Center for Substance Abuse Prevention**

In accordance with the tobacco regulations, States are required to provide detailed information on progress made in enforcing youth tobacco access laws (FFY 2006 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2007 Intended Use Plan). These data are required by 42 U.S.C. 300x-26 and will be used by the Secretary to evaluate State compliance with the statute. Part of the mission of the Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Substance Abuse Prevention (CSAP) is to assist States<sup>1</sup> by supporting Synar activities and providing technical assistance helpful in determining the type of enforcement measures and control strategies that are most effective. This information is helpful to SAMHSA/CSAP in improving technical assistance resources and expertise on enforcement efforts and tobacco control program support activities, including State Synar Program support services, through an enhanced technical assistance program involving conferences and workshops, development of training materials and guidance documents, and on-site technical assistance consultation.

### **How the Synar report can help States**

The information gathered for the Synar report can help States describe and analyze sub-State needs for program enhancements. These data can also be used to report to the State legislature and other State and local organizations on progress made to date in enforcing youth tobacco access laws when aggregated statistical data from State Synar reports can demonstrate to the Secretary the national progress in reducing youth tobacco access problems. This information will also provide Congress with a better understanding of State progress in implementing Synar, including State difficulties and successes in enforcing retailer compliance with youth tobacco access laws.

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<sup>1</sup>The term State is used to refer to all the States and territories required to comply with Synar as part of the Substance Abuse Prevention and Treatment Block Grant Program requirements (42 U.S.C. 300x-64 and 45 C.F.R. 96.121).

### **Getting assistance in completing the Synar report**

If you have questions about programmatic issues, you may call CSAP's Division of State and Community Assistance at 240-276-2570 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or e-mail using the directory provided. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Program Services, Division of Grants Management, at 240-276-1404.

### **Where and when to submit the Annual Synar Report**

The Annual Synar Report (ASR) must be received by SAMHSA no later than December 31, 2006. The ASR must be submitted in the **approved OMB report format**. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page 1 of the ASR certifying that the State has complied with all reporting requirements.

Submit one signed original of the report, one additional copy, and an electronic version on either CD-ROM or 3.5" diskette to the Grants Management Officer at the address below:

Grants Management Officer  
Office of Program Services, Division of Grants Management  
Substance Abuse and Mental Health Services Administration

#### **Regular Mail:**

1 Choke Cherry Road, Room 7-1091  
Rockville, Maryland 20857

#### **Overnight Mail:**

1 Choke Cherry Road, Room 7-1091  
Rockville, Maryland 20850

## **FFY 2007: FUNDING AGREEMENTS/CERTIFICATIONS**

The following form must be signed by the Chief Executive Officer or an authorized designee and submitted with this application. Documentation authorizing a designee must be attached to the application.

<b>PUBLIC HEALTH SERVICES ACT AND SYNAR AMMENDMENT</b>	
42 U.S.C. 300x-26 requires each State to submit an annual report of its progress in meeting the requirements of the Synar Amendment and its implementing regulation (45 C.F.R. 96.130) to the Secretary of the Department of Health and Human Services. By signing below, the chief executive officer (or an authorized designee) of the applicant organization certifies that the State has complied with these reporting requirements and the certifications as set forth below.	
<b>SYNAR SURVEY SAMPLING METHODOLOGY</b>	
The State certifies that the Synar survey sampling methodology on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2007 is up-to-date and approved by the Center for Substance Abuse Prevention.	
<b>SYNAR SURVEY INSPECTION PROTOCOL</b>	
The State certifies that the Synar Survey Inspection Protocol on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2007 is up-to-date and approved by the Center for Substance Abuse Prevention.	
<b>State: North Carolina</b>	
<b>Name of Chief Executive Officer or Designee: Carmen Hooker Odom</b>	
<b>Signature of CEO or Designee:</b>	
<b>Title:</b>	<b>Date Signed:</b>
Secretary, Department of Health and Human Services	
<b>If signed by a designee, a copy of the designation must be attached</b>	

**SECTION I: FFY 2006 (Compliance Progress)****YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT**

***42 U.S.C. 300x-26 requires the States to report information regarding the sale/distribution of tobacco products to individuals under age 18.***

- 1. Please indicate any changes or additions to the State tobacco statute(s) relating to youth access since the last reporting year. Please attach a photocopy of the change(s) in the State law(s) if any was made since the last reporting year. (See 42 U.S.C. 300x-26)**

- a. Has there been a change in the *minimum sale age* for tobacco products?**

☐ Yes ☒ No

*If Yes, current minimum age:* ☐ 19 ☐ 20 ☐ 21

- b. Have there been any changes in State law that impact the State's *protocol for conducting Synar inspections*? ☐ Yes ☒ No**

*If Yes, indicate change (check all that apply):*

☐ Changed to require that law enforcement conduct inspections of tobacco outlets

☐ Changed to make it illegal for youth to possess, purchase or receive tobacco

☐ Changed to require ID to purchase tobacco

☐ Other change(s) (please describe): \_\_\_\_\_

- c. Have there been any changes in the law concerning *vending machines*?**

☐ Yes ☒ No

*If Yes, indicate change (check all that apply):*

☐ Total ban enacted

☐ Banned from location(s) accessible to youth

☐ Locking device or supervision required

☐ Other change(s) (please describe): \_\_\_\_\_

- d. Have there been any changes in State law that impact the following?**

Licensing of tobacco vendors ☐ Yes ☒ No

Penalties for sales to minors ☐ Yes ☒ No

- 2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) and the State Plan (see 42 U.S.C. 300x-51) were made public within the State. (Check all that apply)**

☐ Placed on file for public review

☒ Posted on a State agency Web site (Specify Web site location:

<http://www.ncdhhs.gov/mhddsas/statpublications/reports/index.htm#synar>)

☐ Notice published in a newspaper or newsletter

☐ Public hearing

- ☐ Announced in a news release, a press conference, or discussed in a media interview
- ☐ Distributed for review as part of the SAPT Block Grant application process
- ☐ Distributed through the public library system
- ☐ Published in an annual register
- ☐ Other change(s) (please describe): \_\_\_\_\_

**3. Identify the following agency or agencies. (See 42 U.S.C. 300x-26 and 45 C.F.R. 96.130)**

**a. The State agency(s) designated by the Governor for oversight of the Synar requirements:**

NC Dept. of Health and Human Services, Division of Mental Health,  
Developmental Disabilities and Substance Abuse Services

Has this changed since last year's Annual Synar Report? ☐ Yes ☐ No

**b. The State agency(s) responsible for conducting random, unannounced Synar inspections:**

NC Dept. of Health and Human Services, Division of Mental Health,  
Developmental Disabilities and Substance Abuse Services

Has this changed since last year's Annual Synar Report? ☐ Yes ☐ No

**c. The State agency(s) responsible for enforcing youth tobacco access law(s):**

NC Dept. of Crime Control and Public Safety, Division of Alcohol Law  
Enforcement

Has this changed since last year's Annual Synar Report? ☐ Yes ☒ No

**4. Identify the State agency(s) responsible for tobacco prevention control activities.**

NC Dept. of Health and Human Services, Division of Public Health – Tobacco Prevention  
and Control Branch

Has the responsible agency changed since last year's Annual Synar Report?

☐ Yes ☒ No

**a. Describe the coordination and collaboration that occur between the agency responsible for tobacco control and the agency responsible for oversight of the Synar requirements. The two agencies (check all that apply):**

- ☐ Are the same
- ☐ Have a formal written memorandum of agreement

- ☒ Have an informal partnership  
☒ Conduct joint planning activities  
☐ Combine resources  
☒ Have other collaborative arrangement(s) (please describe): Collaborate on training and technical assistance activities, conferences and workgroups.

**5. Please answer the following questions regarding the State's activities to enforce the youth access to tobacco law(s) in FFY 2006. (See 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e))**

**a. Which one of the following describes the enforcement of youth access to tobacco laws carried out in your State? (Check one category only)**

- ☐ Enforcement is conducted exclusively by local law enforcement agencies.  
☐ Enforcement is conducted exclusively by State agency(s).  
☒ Enforcement is conducted by both local and State agencies.

**b. The following items concern penalties imposed for violations of youth access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES. Please fill in the number requested or indicate if these data are unavailable or the item is not applicable.**

PENALTY	NOT APPLICABLE	NOT AVAILABLE	TOTAL	If Available	
				OWNERS	CLERKS
Number of <u>citations issued</u>			1,335		
Number of <u>finest assessed</u>		<input checked="" type="checkbox"/>			
Number of <u>permits/licenses suspended</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Number of <u>permits/licenses revoked</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Other (please describe): <u>Number of convictions</u>			761		

**c. What additional activities are conducted in your State to support enforcement and compliance with State tobacco access law(s)? (Check all that apply)**

- ☒ Merchant education and/or training  
☒ Incentives for merchants who are in compliance (e.g., Reward and Reminder)  
☒ Community education regarding youth access laws  
☒ Media use to publicize compliance inspection results  
☒ Community mobilization to increase support for retailer compliance with youth access laws  
☒ Other activities (please list): GIS mapping of compliance checks data to identify patterns of violations and areas to target for enforcement.



*Briefly describe all checked activities:*

- 1. Merchant Education - conduct phase 2 of the Red Flag retailer campaign to promote the use of the driver's license as a prompt or first visual clue that the purchaser may be underage and to increase compliance with the youth access law among retailers and clerks in targeted areas. and engage communities, including youth, in local events to educate and support retailers. The campaign highlights the importance of checking IDs (NC's driver licenses have a red background/ border to denote license holders under the age of 18). It includes print and paid media, print materials, local events and direct mail to retailers.**

Phase 2 of the campaign was launched in ALE districts 4, 5 and 7. Districts/communities were selected based on an analysis of ALE's compliance checks data conducted by Kurt Ribisl of the UNC School of Public Health. Counties were selected based on those that had the second highest violation rates in ALE districts matched with the location of Health and Wellness Trust Fund (HWTF) grantees, coalitions and groups who are already addressing access and other tobacco prevention issues in their local communities. Red Flag is being evaluated by the UNC Tobacco Prevention and Evaluation Program. Results show that Red Flag is successful in reaching merchants in its target market.

- 2. Conduct community education, mobilization and recognition activities (i.e. local events to present TEE awards to clerks) in partnership with local agencies to raise awareness of youth access issues among merchants, clerks, and the community at large. ALE agents will provide positive recognition as well as incentives for store clerks that do not sell tobacco products to minors during enforcement operations.**

ALE agents have distributed 5,312 certificates Tobacco Enforcement Excellence (TEE) Awards to retail clerks that have refused the sale of tobacco products to minors during ALE compliance checks from SFY July 1, 2005 through June 30 2006.

- 3. Partner with community agencies to host retailer education and training events. ALE will inform all retailers who are issued a citation for violation of the State's Youth Access Law of the availability of the BARS (Be A Responsible Seller) Education Program. BARS training brochures will also be distributed to retailers.**

ALE conducted 223 Be A Responsible Seller/Server (BARS) programs statewide to retailers and their employees regarding requirements of the State's Youth Access Law and its penalties (data from SFY July 1, 2005 through June 30 2006).

- 4. Get earned or free media attention to enforcement activities including compliance checks and other community events in local newspapers, television or radio. This will be achieved primarily through press releases from ALE's Public Information Office.**

ALE generated 29 earned media stories across the state to increase awareness of youth access related issues (data from SFY July 1, 2005 through June 30 2006).

- 5. Conduct an analysis of Alcohol Law Enforcement's (ALE) compliance checks data by geocoding the location of outlets visited by ALE and analyzing patterns of violations using selected census tract demographics, including racial, income, education and housing variables. GIS (Geographic Information System) mapping and tables are being used to depict patterns of violations by region, major city and county.**

The analysis and mappings are currently being used to identify counties within ALE districts to participate in the Red Flag campaign and to direct enforcement in those high non-compliant areas of the state.

## SYNAR SURVEY METHODS AND RESULTS

*The following questions pertain to the survey methodology and results of the Synar survey used by the State to meet the requirements of the Synar Regulation in FFY 2006. (See 42 U.S.C. 300x-26 and 45 C.F.R. 96.130)*

**6. Has the sampling methodology changed from the previous year?**

☐ Yes ☒ No

*The State is required to have an approved up-to-date description of the Synar sampling methodology on file with CSAP. Please submit a copy of your Synar Survey Sampling Methodology (Appendix B). If the sampling methodology changed from the previous reporting year, these changes must be reflected in the methodology submitted.*

**7. Please answer the following questions regarding the State's annual random, unannounced inspections of tobacco outlets. (See 45 C.F.R. 96.130(d)(2))**

**a. Did the State use the optional Synar Survey Estimation System (SSES) to analyze the Synar survey data?**

☒ Yes ☐ No

*If Yes, attach SSES summary tables 1, 2, 3 and 4 and go to Question 8.*

*If No, continue to Question 7b.*

**b. Report the weighted and unweighted Retailer Violation Rate (RVR) estimates, and the standard error.**

**Unweighted RVR**

\_\_\_\_\_

**Weighted RVR**

\_\_\_\_\_

**Standard error (s.e.) of the (weighted) RVR**

\_\_\_\_\_

**Fill in the blanks to calculate the right limit of the right-sided 95% confidence interval.**

\_\_\_\_\_  
**RVR Estimate**

**Plus**

**(1.645**

**times**

\_\_\_\_\_  
**Standard Error)**

**equals**

\_\_\_\_\_  
**Right Limit**

**c. Fill out Form 1 in Appendix A (Forms). (Required regardless of the sample design)**

**d. How were the (weighted) RVR estimate and its standard error obtained?**

*(Check the one that applies)*

- ☐ Form 2 (Optional) in Appendix A (Forms) *(Attach completed Form 2)*  
☐ Other *(Please specify. Provide formulae and calculations or attach and explain the program code and output with description of all variable names.)*

**e. If stratification was used, did any strata in the sample contain only one outlet or cluster this year?**

- ☐ Yes ☐ No ☐ No stratification

*If Yes, explain how this situation was dealt with in variance estimation.*

**f. Was a cluster sample design used?**

- ☐ Yes ☐ No

*If No, go to Question 7g.*

*If Yes, fill out and attach Form 3 in Appendix A (Forms), and answer the following question:*

**Were any certainty primary sampling units selected this year?**

- ☐ Yes ☐ No

*If Yes, explain how the certainty clusters were dealt with in variance estimation.*

**g. Report the following outlet sample sizes for the Synar survey.**

	Sample Size
<b>Effective sample size</b> (sample size needed to meet the SAMHSA precision requirement assuming simple random sampling)	
<b>Target sample size</b> (the product of the effective sample size and the design effect)	
<b>Original sample size</b> (inflated sample size of the target sample to counter the sample attrition due to ineligibility and non-completion)	
<b>Eligible sample size</b> (number of outlets found to be eligible in the sample)	
<b>Final sample size</b> (number of eligible outlets in the sample for which an inspection was completed)	

**h. Fill out Form 4 in Appendix A (Forms).**

### 8. Did the State's Synar survey use a list frame?

☒ **Yes**     ☐ **No**

*If Yes, answer the following questions about its coverage:*

a. The calendar year of the latest frame coverage study: 2005

**b. Percent coverage from the latest frame coverage study:** 73%

c. Was a new study conducted in this reporting period? ☐ Yes ☒ No

*If **Yes**, please complete Appendix D (List Sampling Frame Coverage Study) and submit it with the Annual Synar Report.*

d. The calendar year of the next coverage study planned: 2006

**9. Has the Synar survey inspection protocol changed from the previous year?**

☐ **Yes**    ☒ **No**

*The State is required to have an approved up-to-date description of the Synar inspection protocol on file with CSAP. Please submit a copy of your Synar Survey Inspection Protocol (Appendix C). If the inspection protocol changed from the previous year, these changes must be reflected in the protocol submitted.*

**a. Provide the inspection period:**      **From:** 01/28/06      **To:** 06/13/06  
MM/DD/YY                                  MM/DD/YY

**b. Provide the number of youth inspectors used in the current inspection year:**  
Six

**c. Fill out and attach Form 5 in Appendix A (Forms).** *(Not required if the State used the Synar Survey Estimation System (SSES) to analyze the Synar survey data)*

## SECTION II: FFY 2007 (Intended Use):

*Public law 42 U.S.C. 300x-26 of the Public Health Service Act and 45 C.F.R. 96.130 (e) (4, 5) require that the States provide information on future plans to ensure compliance with the Synar requirements to reduce youth tobacco access.*

**1. In the upcoming year, does the State anticipate any changes in the:**

Synar sampling methodology ☐ Yes ☒ No  
Synar inspection protocol ☐ Yes ☒ No

*If changes are made in either the Synar sampling methodology or the Synar inspection protocol, the State is required to obtain approval from CSAP prior to implementation of the change and file an updated Synar Survey Sampling Methodology (Appendix B) or an updated Synar Survey Inspection Protocol (Appendix C), as appropriate.*

**2. Please describe the State's plans to maintain and/or reduce the retailer violation rate for Synar inspections to be completed in FFY 2007. Include a brief description of plans for law enforcement efforts to enforce youth tobacco access laws, activities that support law enforcement efforts to enforce youth tobacco access laws, and any anticipated changes in youth tobacco access legislation or regulation in the State.**

The education and enforcement program will focus specifically on the following goals/objectives:

1. Implement targeted enforcement in counties 1) where noncompliance is high, 2) that are high density, such as large urban or rural areas, and 3) suspend or decrease checks in counties that have been highly saturated and have buy rates less than 10%. A minimal baseline number of compliance checks will be conducted in all counties.
2. Maintain current database of retail outlets visited by Alcohol Law Enforcement Agents in order to expand analyses of data from compliance checks. Emphasis will be placed on investigations of patterns of non-compliance that may lead to enhanced enforcement strategies. The data will also be available to local grantees and agencies desiring to target merchant education activities to retail outlets in which clerks were cited by Alcohol Law Enforcement during compliance checks.
3. Increase media and recognition activities to raise public awareness of the youth access law, its penalties and enforcement operations among judges, district attorneys, retailers, law enforcement agencies, community agencies and local groups.
4. Continue to enhance as well as build new partnerships with local law enforcement, retailers, Area Mental Health /Public Health Programs, local coalitions, youth organizations and community groups to effectively address the youth access issue at the local level through training, community interventions and media activities.

5. Maintain a youth access to tobacco products rate of 20% or less to comply with the federal Synar Amendment.

**These objectives will be accomplished through the strategies and activities described below:**

1. Implement monthly prescriptions for the nine ALE districts, which will include an analysis of past compliance checks data, to select areas for targeted enforcement activities.
2. Conduct at least 600 tobacco compliance checks per month, for a total of 7,200 checks annually throughout the grant cycle.
3. Conduct an annual analysis of ALE's compliance checks data by geo-coding the location of outlets visited by ALE and analyzing patterns of violations using selected census tract demographics, including racial, income, education and housing variables. GIS (Geographic Information System) mapping and tables will be used to depict patterns of violations by region, major city and county.
4. Implement a Phase III roll out of the Red Flag Campaign across the state in the three remaining ALE districts. The campaign will highlight the importance of checking IDs. NC's driver licenses have three color codes (red, yellow, green). The campaign will place a special emphasis on licenses with a red border because a red background/ border denote that the license holder is under the age of 18 and therefore should not be sold tobacco products. It will include earned or free media, print materials, local events and direct mail to retailers. Red Flag materials have already been disseminated in six of the nine ALE districts. The program is sponsored jointly by the Division of MH/DD/SAS, the Division of Alcohol Law Enforcement and the NC Health and Wellness Trust Fund (HWTF).
5. Conduct at least three community education and recognition activities (i.e. local events to present Tobacco Enforcement Excellence/TEE awards to clerks) in partnership with local agencies to raise awareness of youth access issues among merchants, clerks, and the community at large. ALE agents will provide positive recognition as well as incentives for store clerks that do not sell tobacco products to minors during enforcement operations. Also, include some paid media (ads) in local newspapers across the state to highlight TEE award recipients and the stores in which they work.
6. Get earned media attention on enforcement activities including compliance checks and other community events in local newspapers, television or radio. This will be achieved primarily through press releases from ALE's Public Information Office. The Division of ALE and DMH/DD/SAS will work with the HWTF media staff and proposed media vendor to publicize special events.
7. Partner with at least three community agencies to host retailer education and training events. ALE will inform all retailers who are issued a citation for violation of the State's Youth Access Law of the availability of the BARS (Be A Responsible Seller) Education Program. BARS training brochures will also be distributed to retailers.

8. Promote collaboration among the Area Mental Health Programs/Local Management Entities and their contract agencies, local organizations, Health and Wellness Trust Fund Grantees and District Alcohol Law Enforcement agents to recruit and train youth ages 16-17 to participate in enforcement activities; distribute merchant education materials; develop local media stories on youth access issues; promote the availability of the BARS Program to local retail merchants; and coordinate local retailer trainings.
9. Conduct an on-going evaluation of the Red Flag Campaign (i.e. retailer surveys, focus groups) to include any new components added over the course of the contract. The proposed evaluator is the UNC Tobacco Prevention and Evaluation Program (TPEP). TPEP is the evaluation team for the NC Health and Wellness Trust Fund and does on-going evaluations on other grant funded programs under the Teen Tobacco Prevention and Cessation Initiative.

**3. Describe any challenges the State faces in complying with the Synar regulation. (Check all that apply)**

- ☒ Limited resources for law enforcement of youth access laws
- ☒ Limited resources for activities to support enforcement and compliance with youth tobacco access laws
- ☒ Limitations in the State youth tobacco access laws
- ☐ Limited public support for enforcement of youth tobacco access laws
- ☒ Limitations on completeness/accuracy of list of tobacco outlets
- ☐ Limited expertise in survey methodology
- ☐ Laws/regulations limiting the use of minors in tobacco inspections
- ☒ Difficulties recruiting youth inspectors
- ☐ Geographic, demographic, and logistical considerations in conducting inspections
- ☒ Cultural factors (e.g., language barriers, young people purchasing for their elders)
- ☐ Issues regarding sources of tobacco under tribal jurisdiction
- ☐ Other challenges (please list): \_\_\_\_\_
- ☐ No challenges (please explain): \_\_\_\_\_

*Briefly describe all items checked above:*

One of the challenges that the Division of MH/DD/SAS and the Department of Health and Human Services continue to face in implementing the Synar Program is maintaining funding for enforcement as well as activities to support enforcement. Since losing the FDA contract in March 2000 maintaining statewide enforcement effort has been challenging for the state. The Department of Health and Human Services worked diligently to identify stopgap state funding sources primarily through lapsed salary to prevent a lag in enforcement. The Division, working with the Tobacco Prevention and Control Branch, Alcohol Law Enforcement and other partners were successful in securing funding from the NC Health and Wellness Trust Fund, (dependent upon availability of funds and satisfactory progress), to support enforcement activities and other initiatives to prevent and reduce teen tobacco use.



The NC Youth Access Law makes it illegal for youth under 18 years of age to purchase tobacco products, but does not prohibit them from possessing the product or from smoking. This does not seem reasonable, particularly to law enforcement agencies and is seen as a weakness in the law. There has been some interest in trying to get possession added to the legislation, but there are advocates who do not support this strategy. It is an issue that the state will continue to review as well as to monitor how this is handled in other states.

Because the state does not have licensure, it has been difficult identifying retail outlets that sell tobacco products. We do use a commercial business list to draw a sample of potential tobacco retail outlets, but it has limitations as well. The Division of MH/DD/SAS will convene a meeting of researchers and partner agencies to discuss policy options for NC to strengthen its tobacco access law.

It is also becoming increasingly difficult to recruit minors to participate in the inspections. This is mostly due to other competing factors or obligations such as employment opportunities, sports, camps, etc and relocation. The State has looked at a number of alternatives for recruitment and retention of youth.

There are an increasing number of ethnic vendors/retailers in the state which presents language and cultural barriers as far as interpretation of the law and its requirements. This increases the need for merchant education and other materials designed especially for use in communities where there isn't fluency in the English language. Currently the state makes signs available to retailers in both English and Spanish to post at the point of sale and is working on adapting the "Check That Photo ID" brochure to Spanish as well. The State is reviewing some options for getting some of the Red Flag retailer materials translated in to Spanish.

## **APPENDIX A: FORMS / SSES TABLES**

**TABLE 1 – Synar Survey Estimates and Sample Sizes**

**TABLE 2 – Synar Survey Results by Stratum and by OTC/VM**

**TABLE 3 – Synar Survey Sample Tally Summary**

**TABLE 4 – Synar Survey Inspection Results by Youth Inspector Characteristics**

**SSES Table 1 (Synar Survey Estimates and Sample Sizes)**

**CSAP-SYNAR REPORT**

State	NC
Federal Fiscal Year (FFY)	2007
Date	11/7/2006 22:57
Data	NCSSEInput06-rev.xls
Analysis Option	Stratified Clustered with FPC

**Estimates**

Unweighted Retailer Violation Rate	10.6%
Weighted Retailer Violation Rate	10.3%
Standard Error	1.5%
Is SAMHSA Precision Requirement met?	YES
Right-sided 95% Confidence Interval	[0.0%, 12.8%]
Two-sided 95% Confidence Interval	[7.4%, 13.2%]
Design Effect	2.1
Accuracy Rate (unweighted)	58.6%
Accuracy Rate (weighted)	55.9%
Completion Rate (unweighted)	95.2%

**Sample Size for Current Year**

Effective Sample Size	422
Target (Minimum) Sample Size	920
Original Sample Size	1,746
Eligible Sample Size	1,023
Final Sample Size	974
Overall Sampling Rate	13.7%

**SSES Table 2 (Synar Survey Results by Stratum and by OTC/VM)**

Samp. Stratum	Var. Stratum	Outlet Frame Size	Estimated Outlet Population Size	Number of PSU Clusters Created	Number of PSU Clusters in Sample	Outlet Sample Size	Number of Eligible Outlets in Sample	Number of Sample Outlets Inspected	Number of Sample Outlets in Violation	Retailer Violation Rate(%)	Standard Error(%)
<b>All Outlets</b>											
11	11	0	690	20	2	99	59	53	4	8.1%	
12	12	0	547	8	2	125	64	56	5	10.1%	
13	13	0	629	4	2	151	83	79	5	7.2%	
14	14	0	467	50	7	113	47	44	5	9.2%	
21	21	0	721	24	3	170	99	93	8	10.6%	
22	22	0	857	7	2	132	81	77	10	13.1%	
31	31	0	552	11	2	137	95	91	10	9.8%	
32	32	0	586	4	2	215	123	118	6	2.8%	
33	33	0	385	39	8	140	79	76	12	15.9%	
41	41	0	470	11	2	132	78	76	3	3.6%	
42	42	0	475	4	2	182	114	111	15	13.6%	
43	43	0	561	50	9	150	101	100	20	20.1%	
Total		0	6,940	232	43	1,746	1,023	974	103	10.3%	1.5%
<b>Over the Counter Outlets</b>											
11	11	0	690	20	2	53	53	53	4	8.1%	
12	12	0	547	8	2	56	56	56	5	10.1%	
13	13	0	629	4	2	79	79	79	5	7.2%	
14	14	0	467	50	7	44	44	44	5	9.2%	
21	21	0	721	24	3	93	93	93	8	10.6%	
22	22	0	857	7	2	77	77	77	10	13.1%	
31	31	0	552	11	2	91	91	91	10	9.8%	
32	32	0	575	4	2	116	116	116	6	2.8%	
33	33	0	385	39	8	76	76	76	12	15.9%	
41	41	0	470	11	2	76	76	76	3	3.6%	
42	42	0	475	4	2	111	111	111	15	13.6%	
43	43	0	561	50	9	100	100	100	20	20.1%	
Total		0	6,929	232	43	972	972	972	103	10.3%	1.5%
<b>Vending Machines</b>											
11	11	0	0	20	2	0	0	0	0	0.0%	
12	12	0	0	8	2	0	0	0	0	0.0%	
13	13	0	0	4	2	0	0	0	0	0.0%	
14	14	0	0	50	7	0	0	0	0	0.0%	
21	21	0	0	24	3	0	0	0	0	0.0%	
22	22	0	0	7	2	0	0	0	0	0.0%	
31	31	0	0	11	2	0	0	0	0	0.0%	
32	32	0	11	4	2	2	2	2	0	0.0%	
33	33	0	0	39	8	0	0	0	0	0.0%	
41	41	0	0	11	2	0	0	0	0	0.0%	
42	42	0	0	4	2	0	0	0	0	0.0%	
43	43	0	0	50	9	0	0	0	0	0.0%	
Total		0	11	232	43	2	2	2	0	0.0%	0.0%

Note: There are some records with unknown outlet type. Therefore the overall counts may not equal the sum of OTC and VM counts.

**SSES Table 3 (Synar Survey Sample Tally Summary)**

STATE: NC  
FFY: 2007

Disposition Code	Description	Count	Subtotal
EC	Eligible and inspection complete outlet	974	
Total (Eligible Completes)			974
N1	In operation but closed at time of visit	45	
N2	Unsafe to access	4	
N3	Presence of police	0	
N4	Youth inspector knows salesperson	0	
N5	Moved to new location but not inspected	0	
N6	Drive thru only/youth inspector has no drivers license	0	
N7	Tobacco out of stock	0	
N8	Run out of time	0	
N9	Other noncompletion	0	
Total (Eligible Noncompletes)			49
I1	Out of Business	87	
I2	Does not sell tobacco products	589	
I3	Inaccessible by youth	0	
I4	Private club or private residence	0	
I5	Temporary closure	0	
I6	Unlocatable	38	
I7	Wholesale only/Carton sale only	0	
I8	Vending machine broken	0	
I9	Duplicate	9	
I10	Other ineligibility	0	
Total (Ineligibles)			723
Grand Total			1746

**SSES Table 4 (Synar Survey Inspection Results by Youth Inspector Characteristics)**

STATE: NC  
FFY: 2007

**Frequency Distribution**

Gender	Age	Number of Inspectors	Attempted Buys	Successful Buys
Male	14	0	0	0
	15	1	79	10
	16	2	358	18
	17	0	0	0
	18	0	0	0
	Subtotal	3	437	28
Female	14	0	0	0
	15	2	476	57
	16	1	61	18
	17	0	0	0
	18	0	0	0
	Subtotal	3	537	75
Other		0	0	0
Grand Total		6	974	103

**Buy Rate in Percent by Age and Gender**

Age	Male	Female	Total
14	0.0%	0.0%	0.0%
15	12.7%	12.0%	12.1%
16	5.0%	29.5%	8.6%
17	0.0%	0.0%	0.0%
18	0.0%	0.0%	0.0%
Other			0.0%
Total	6.4%	14.0%	10.6%

## APPENDIX B

STATE: NC  
FFY: FFY 2007

### SYNAR SURVEY SAMPLING METHODOLOGY

#### 1. What type of sampling frame is used?

- ☐ List frame (Go to Question 2)  
☐ Area frame (Go to Question 3)  
☒ List-assisted area frame (Go to Question 2)

#### 2. List all sources of the list frame. Indicate the type of source from the list below. Provide a brief description of the frame source. Explain how the lists are updated (method), including how new outlets are identified and added to the frame. In addition, explain how often the lists are updated (cycle). (After completing this question, go to Question 4)

Use the corresponding number to indicate Type of Source in the table below:

- 1 – Statewide commercial business list      4 – Statewide retail license/permit list  
 2 – Local commercial business list      5 – Statewide liquor license/permit list  
 3 – Statewide tobacco license/permit list      6 – Other

Name of Frame Source	Type of Source	Description	Updating Method and Cycle
Dun & Bradstreet	1	National Establishment Listing on DVD	On-going update with new releases quarterly

#### 3. If an area frame is used, describe how area sampling units are defined and formed.

**Multi-stage design:** A multi-stage design was used to facilitate the development of the sampling frame and to reduce field cost. Since no comprehensive listing of outlets is available, the sampling frame was developed from Dun & Bradstreet's business list. Two stages were used in the design. The sampling and data collection methods are basically unchanged from the previous survey except one more PSU became a certainty PSU because of population growth.

**Stage 1:** In this stage, the State's 100 counties singly or in pairs comprised the primary sampling units (PSUs); minimum PSU size is 30 potential outlets. This combination resulted in a total of 96 PSUs. These PSUs were stratified into 4 primary strata based on mental health districts and

into secondary strata within each of those 4 strata, based on estimated number of outlets. This resulted in a total of 12 explicit final strata. Within these strata, PSUs were sorted by size to achieve additional stratification. PSUs were selected from each of these strata using probability proportional to size (field costs and estimated number of outlets).

**Stage 2:** Within the sample PSUs, second stage units (SSUs) were formed that are essentially equivalent to the postal ZIP areas. Some of the ZIP areas were combined to form SSUs with a minimum of eight outlets and names were sub-sampled in some of the larger ZIP areas (the targeted SSU size is approximately 10 outlets). The SSUs were selected from the sample PSUs with equal probability. All random numbers were generated within Excel spreadsheet using the random number function (RAND).

a. Is any area left out in the formation of the area frame? ☐ Yes ☒ No

*If Yes, what percentage of the State's population is not covered by the area frame?*

\_\_\_\_\_ %

4. Federal regulation requires that vending machines be inspected as part of the Synar survey. Are vending machines included in the Synar survey?

☒ Yes ☐ No

*If No, please indicate the reason they are not included in the Synar survey.*

☐ State law bans vending machines

☐ State law bans vending machines from locations accessible to youth

☐ State has SAMHSA approval to exempt vending machines from the survey

☐ Other (please describe): \_\_\_\_\_

5. Which category below best describes the sample design? (Check only one)

☐ Census (STOP HERE: Appendix B is complete)

**Unstratified State-wide sample:**

☐ Simple random sample (go to Question 9)

☐ Systematic random sample (go to Question 6)

☐ Single-stage cluster sample (go to Question 8)

☐ Multi-stage cluster sample (go to Question 8)

**Stratified sample:**

☐ Simple random sample (go to Question 7)

☐ Systematic random sample (go to Question 6)

☐ Single-stage cluster sample (go to Question 7)

☒ Multi-stage cluster sample (go to Question 7)

☐ Other (please describe and go to Question 9): \_\_\_\_\_



**6. Describe the systematic sampling methods.** *(After completing Question 6, go to Question 7 if stratification is used. Otherwise go to Question 9.)*

**7. Provide the following information about stratification**

**a. Provide a full description of the strata that are created.**

These PSUs were stratified into 4 primary strata based on mental health districts and into secondary strata within each of those 4 strata, based on estimated number of outlets. This resulted in a total of 11 explicit final strata. Within these strata, PSUs were sorted by size to achieve additional stratification. PSUs were selected from each of these strata using probability proportional to size (a function of field costs and estimated number of outlets).

**b. Is clustering used within the stratified sample?**

☒ **Yes** *(go to Question 8)*

☐ **No** *(go to Question 9)*

**8. Provide the following information about clustering**

**a. Provide a full description of how clusters are formed.** *(If multi-stage clusters are used, give definitions of clusters at each stage.)*

**Stage 1:** In this stage, the State's 100 counties singly or in pairs comprised the primary sampling units (PSUs); minimum PSU size is 30 potential outlets. This combination resulted in a total of 96 PSUs. Within the strata described above, PSUs were sorted by size to achieve additional stratification. PSUs were selected from each of these strata using probability proportional to size (field costs and estimated number of outlets).

**Stage 2:** Within the sample PSUs, second stage units (SSUs) were formed that are essentially equivalent to the postal ZIP areas. Some of the ZIP areas were combined to form SSUs with a minimum of eight outlets and names were sub-sampled in some of the larger ZIP areas (the targeted SSU size is approximately 10 outlets). The SSUs were selected from the sample PSUs with equal probability. All random numbers were generated within Excel spreadsheet using the random number function (RAND).

**b. Specify the sampling method (simple random, systematic, or probability proportional to size sampling) for each stage of sampling and describe how the method(s) is (are) implemented.**

**Stage 1:** PSUs were selected from each of these strata using probability proportional to size (field costs and estimated number of outlets).

**Stage 2:** Within the sample PSUs, second stage units (SSUs) were selected from the sample PSUs with equal probability. All random numbers were generated within Excel spreadsheet using the random number function (RAND).

**9. Provide the formulae for determining the effective, target, and original outlet sample sizes.**

The effective sample size:

$$n_e = \frac{p(1-p)t^2}{\Delta^2},$$

where  $p$  is the violation rate;

$t = 1.645$ , is the normal z-statistic for one-sided 95% confidence interval;

$\Delta$  is the desired precision level set at 3 %.

The formula for computing the effective sample size is derived from the target sample size formula given in FY2004 ASR.

The target sample size:

$$n_d = dn_e,$$

where  $d$  is the design effect.

Original sample size:

$$n_o = \frac{n_d}{r_e r_c},$$

where  $r_e$  is the eligible rate and  $r_c$  is the completion rate.

In addition to the original sample, independent random supplemental samples were selected and fielded in randomly specified order. The overall original sample size is the sum of  $n_o$  and the number of outlets in the supplemental samples ( $n_s$ ) that are fielded, i.e.,

$$n = n_o + n_s.$$

**APPENDIX C**

**STATE:** NC  
**FFY:** FFY 2007

**SYNAR SURVEY INSPECTION PROTOCOL**

*Note: Attach a copy of the inspection form and protocol used to record the inspection result.*

**1. How does the State Synar survey protocol address the following?**

**a. Consummated buy attempts?**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Required                     | <input type="checkbox"/> Not Permitted             |
| <input type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

**b. Youth inspectors to carry ID?**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Required                     | <input type="checkbox"/> Not Permitted             |
| <input type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

**c. Adult inspectors to enter the outlet?**

- |   |  |
|---|--|
| <input type="checkbox"/> Required   | <input type="checkbox"/> Not Permitted             |
| <input checked="" type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

**d. Youth inspectors to be compensated?**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Required                     | <input type="checkbox"/> Not Permitted             |
| <input type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

**2. Identify the agency(s) or entity(s) that actually conduct the random, unannounced Synar inspections of tobacco outlets. (Check all that apply)**

- ☐ Law enforcement agency(s)  
☐ State or local government agency(s) other than law enforcement  
☒ Private contractor(s)  
☐ Other

List the agency name(s): NC DHHS contracts with the American Lung Association of NC to conduct the Synar inspections.

**3. Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement issue warnings or citations to retailers found in violation of the law at the time of the inspection)?**

- ☐ Always ☐ Usually ☐ Sometimes ☐ Rarely ☒ Never

**4. Describe the methods used to recruit, select, and train youth inspectors and adult supervisors.**

In order to assure inter-rater reliability, the same instructor trains the youth. The instructions include specific information on the role and responsibilities of the youth, followed by some role playing exercises covering various scenarios that prepared the youth for the different types of questions or responses to expect from the merchants and their employees.

**5. Are there specific legal or procedural requirements instituted by the State to address the issue of youth inspectors' immunity when conducting inspections?**

a. Legal ☐ Yes ☒ No (If Yes, please describe):

b. Procedural ☐ Yes ☒ No (If Yes, please describe):

**6. Are there specific legal or procedural requirements instituted by the State to address the issue of the safety of youth inspectors during all aspects of the Synar inspection process?**

a. Legal ☐ Yes ☒ No (If Yes, please describe):

b. Procedural ☒ Yes ☐ No (If Yes, please describe):

Two adult supervisors must be the same gender for each youth inspector for all overnight Synar Survey inspection trips.

Bars, Lounges/Taverns are not inspected because of safety concerns even though they are youth accessible.

**7. Are there any other legal or procedural requirements the State has regarding how inspections are to be conducted (e.g., age of youth inspector, time of inspections, training that must occur)?**

a. Legal ☐ Yes ☒ No (If Yes, please describe):

b. Procedural ☒ Yes ☐ No (If Yes, please describe):

Youth inspectors must be 15-16 years of age. Liquor stores are not included due to the fact that they are all state operated and do not sell tobacco products.

## **NORTH CAROLINA'S COMPLIANCE CHECK/INSPECTION PROTOCOL**

A team of two to four youth between the ages of 15 and 16 years, who appear to be approximately that age, will participate in our annual compliance checks. Sixteen has been chosen since the most typical age of youths now used in tobacco covert compliance checks when done for enforcement purposes is 16 to 17 years old. Fifteen is added to give a broader range of outcome date. The age of appearance will be determined by having 15 adults guess the ages of the youth and calculate an average age of appearance. All youth must appear to be under eighteen in order to participate. An attempt will be made to have teams that are gender and ethnically appropriate to the sample area. More than one set of teams may be selected to work in a particular area of the State. In order to assure inter-rater reliability, the teams will be trained by the same instructors.

Written parental permission will be obtained prior to participation for each minor being used in the study. A photograph of each individual will be obtained prior to program initiation, along with a copy of the youth's birth certificate and a copy of their photo identification card. These will be placed on file with the Community Policy Management Section in the Division of Mental Health, Developmental Disabilities and Substance Abuse Services.

The team will be supervised by an adult over the age of 21 at all times. The youth will be instructed not to misrepresent their age. They will be dressed in the same manner in which they were dressed when they went through the age estimation procedure to assure that no one could say that they looked younger or older than their stated age.

The youth will **not** present any false identification when attempting to purchase tobacco. When asked, they will simply show their true identification. If challenged about their ages, they will state their correct age.

The youths will enter the tobacco establishment alone and attempt to purchase. The supervising adult will remain in the vehicle, or if entering, will enter at a different time so that the merchant will not think they are together. The supervisor will be careful not to let the retailer see the two of them together so that the clerk will not think that the adult is a parent or part of a team conducting tobacco stings.

The youth will carry the money needed to pay for cigarettes and will first try to purchase from a self-service display if that is available. If this is unavailable, a single pack of cigarettes will be requested. Youth attempting to purchase cigarettes from vending machines will be instructed to go directly to the machine and deposit the correct change. After the purchase attempt, the youth will exit the establishment with or without the tobacco product. If a pack of cigarettes was purchased, an identification sticker will be placed on the product and reported on the data collection form. All tobacco products will be destroyed by the State at the end of the study.

No youth at any time will stay overnight with an adult supervisor of the opposite sex. No youth will stay overnight without the signed approval of the parent(s) of the youth. Any team member may quit the study at any time and be immediately driven home. The youth will receive full pay up to the time of terminating his/her participation.

The supervisor will complete a N.C. Tobacco Retail Outlet Compliance Check Data Collection Form immediately following each attempted inspection. The data collection form was designed to include a variety of key data elements which will provide valuable information in terms of assessing compliance with the Synar Amendment and targeting vendor education and enforcement efforts.

**NORTH CAROLINA TOBACCO RETAIL OUTLET  
COMPLIANCE CHECK DATA COLLECTION FORM**

1. Name of Outlet: \_\_\_\_\_
2. Address of Outlet: \_\_\_\_\_  
City: \_\_\_\_\_ Zip: \_\_\_\_\_
3. Date of Compliance Check: \_\_\_\_\_, 1996 Time: \_\_\_\_\_ AM/PM
4. Status of Outlet: \_\_\_\_\_  
1= No longer in business      3= Not at address given      5= Does not sell tobacco  
2= Closed at time of check      4= Judged unsafe for minor      6= Check was completed
5. Type of Outlet: \_\_\_\_\_  
1= Gas/Convenience      5=Dept. Store      9=Bowling Alley  
2= Convenience without gas      6=Gas Only      10=Skating Rinks  
3= Grocery Store      7=Restaurant      11=Video Arcades  
4= Drug Store/Pharmacy      8=Hotel/Motel      12=Other
6. Location of Tobacco Products in Retail Outlet: \_\_\_\_\_  
1= Behind Counter (had to ask clerk to get tobacco)  
2= In Front of Counter (picked up tobacco without asking)  
3= Vending Machine, out of sight of employee  
4= Vending Machine, in sight of employee
7. Was Vendor Willing to Sell to Minor? \_\_\_\_\_yes \_\_\_\_\_no
8. Did you observe single cigarettes for sale? \_\_\_\_\_yes \_\_\_\_\_no
9. Was Warning Sign Posted (e.g. No Sale Under 18) \_\_\_\_\_yes \_\_\_\_\_no
10. Was Minor Asked Age? \_\_\_\_\_yes \_\_\_\_\_no
11. Was Minor Asked for I.D.? \_\_\_\_\_yes \_\_\_\_\_no
12. Approximate Age of Clerk: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_male \_\_\_\_\_female  
Age -- 1= Under 18 years      2= 18-40 years      3= Over 40 years  
Race-- 1=Black      2=White      3=Other
13. Cost of Tobacco Product: \$ \_\_\_\_\_ Sticker Number: \_\_\_\_\_
14. Initials of Minor Making the Buy: \_\_\_\_\_
15. Other Comments (please record any interesting or unusual details) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Data Form Number: \_\_\_\_\_ Supervisor: \_\_\_\_\_  
Tob.Comp.Form I/96

